

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Len F. LEE et al.

Serial No.: 10/830,125

Filed: April 23, 2004

For: Novel Benzothiepinines Having Activity as Inhibitors of Ileal Bile Acid Transport and Taurocholate Uptake



Atty. Docket No.: 6794A-000032/US/DVD
(3091/04/DIV/2)

Group Art Unit: TBA

Examiner: TBA

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office
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Arlington, VA 22202

January 31, 2005

Sir:

Pursuant to their duty of good faith and candor as set forth in 37 C.F.R. §§ 1.56(a), 1.97 and 1.98 *et seq.*, Applicants submit herewith the attached Form PTO/SB/08A. Applicants submit herewith a copy of each of the references cited for the convenience of the Examiner. Applicants respectfully request that the Examiner consider and enter all the documents cited on the enclosed Form PTO/SB/08A into the file of the above-identified application. Applicants also request an indication of the same by return of the Form PTO/SB/08A being initialed and dated by the Examiner.

No fees are believed due to ensure consideration of the attached documents by the Examiner. However, if any fees are required or an overpayment of fees made, the Commissioner is hereby authorized to debit or credit our Deposit Account No. 19-0733, as necessary.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

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Enclosure:

Form SB/08A
Cited Documents

JAN 21 2005

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/830,125
Filing Date	April 23, 2004
First Named Inventor	LEE et al.
Group Art Unit	TBA
Examiner Name	TBA
Attorney Docket Number	6794A-000032/US/DVD

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1.	US-6,277,831 B1	08/21/2001	Frick et al.	
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	2.	WO 94/09774	05/11/1994			
	3.	WO 98/31225	07/23/1998			
	4.	WO 00 61568	10/19/2000			
	5.	EP 0 818 197 A1	01/14/1998			

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	6.	XP-000908990 "Choice of Lipid-Lowering Drugs," <i>The Medical Letter</i> , Vol. 38, No. 980, pp. 67-70 (1996).	
	7.	Japanese Abstract XP 002137557: Banyu Pharm: "Treatment agent for hypercholesterolaemia, hyperlipaemia or arteriosclerosis - contains squalene epoxidase inhibitor and other anti-hyperlipaemic agent," July 13, 1992	
	8.	John R. Crouse, III, "New developments in the use of niacin for treatment of hyperlipidemia: new considerations in the use of an old drug," <i>Coronary Artery Disease</i> , Vol. 7, No. 4, pp. 321-326 (1996).	
	9.	D. Roger Illingworth, "Management of Hyperlipidemia: Goals for the Prevention of Atherosclerosis," <i>Clin. And Investig. Med.</i> , Vol. 13, No. 4, pp. 211-218 (1990).	
	10.	Gustav Schonfeld, "the effects of fibrates on lipoprotein and hemostatic coronary risk factors," <i>Atherosclerosis</i> , Vol. 111, pp. 171-174 (1994).	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

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9/13/04